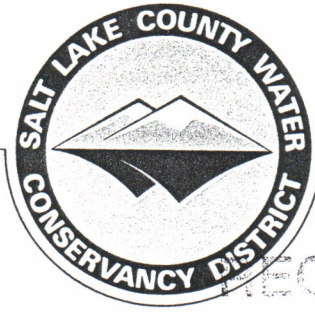


GERALD K. MALONEY, Chairman and Director
GLEN B. CANNON, Vice Chairman and Director



DAVID G. OVARD
General Manager
Secretary, Treasurer

September 15, 1992

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WATER RIGHTS
SALT LAKE

Mr. Robert L. Morgan, PE
State Engineer
Department of Natural Resources
Water Rights Division
1636 West North Temple, Suite 220
Salt Lake City, Utah 84116

Dear Mr. Morgan:

SUBJECT: Proposed Water Distribution Plan for the Utah Lake Drainage Basin

We have appreciated meeting you and receiving correspondence regarding the proposed Water Distribution Plan for the Utah Lake drainage basin during the past months. We have carefully reviewed and considered your April 30, 1992 final draft of the plan. Our response and comments are as follows:

1. We support the concept of the plan. We believe that the use of system storage and priority storage will allow for a more efficient operation of the entire drainage system. However, to avoid difficulties resulting in water districts being unable to calculate or declare the year's allocation from upstream storage reservoirs early in each season, we recommend that you remain flexible in allowing conversion from system storage to priority storage when replacement water is available elsewhere. Examples of this would be replacement water to Utah Lake from Strawberry Reservoir, and the ownership of Utah Lake irrigation shares that can be changed to upstream storage.
2. We support your finding that North Jordan Irrigation Company has a primary storage right in Utah Lake, as tabulated in Table 1. This has become most apparent in the extreme drought conditions of 1992. Although critics have stated that North Jordan diversions have generally been from the Jordan River, this has largely been a result of the failure of senior Jordan River right holders to divert their water rights.

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3. We continue to be concerned with Utah Lake water quality impacts resulting from the distribution plan. Although the impacts are unknown, they should be closely monitored during a trial period to gain further understanding.
4. The proposed plan defines Utah Lake inactive storage as a volume of 128,300 AF at 9.2 feet below compromise level. However, the experience of the Utah Lake water users in 1992 during the extreme drought conditions has shown that this defined boundary for inactive storage is substantially too low. During 1992, the Saratoga Pump Station was able to operate at fairly normal levels until the lake level reached 7.7 feet below compromise elevation. The water users were able to pump up to 780 cfs at this level.

Although this flow rate is less than the decreed flow rates of the primary and secondary right holders, it is sufficient for normal operation. However, severe cut backs in flow rate and frequent Saratoga pump station shutdowns have occurred as the lake level dropped below -7.7 feet. Dredging the inlet channel can probably gain an additional one foot below -7.7 feet.

We recommend that the inactive storage be defined as the ability to pump normally in an average year, between an initial year of dredging the channel and the final year when the channel requires new dredging. This will probably be in the range of 8.0 feet below compromise elevation. At this lake level, the inactive storage volume will be approximately 207,000 AF. The Utah Lake/Jordan River Commissioner, Brad Gardner, should be consulted to fine-tune these numbers.

5. The numbers in Table 3 for system storage appear to be conservatively high. These numbers should be tested during a trial period. However, we suggest that the concept for defining those numbers is quite clear, as follows:
 - a. The system storage should be defined as a one-year diversion entitlement of the primary and secondary Utah Lake storage right holders;
 - b. The system storage should then be increased for average seasonal evaporation on Utah Lake; and
 - c. The table should be decreased month by month to reflect actual withdrawals and evaporation. In this manner, net evaporation savings

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from Utah Lake will be realized from the use of system storage being held upstream. The benefit of evaporation savings would then go to the upstream storage reservoirs.

6. The plan is still fairly detailed and complex and all of the effects cannot be understood at this time. We recommend an interim trial period to test the plan before it is finalized.

However, the extreme drought conditions of the previous six years have resulted in very low lake level conditions on Utah Lake. We have arrived at these conditions without the benefit of the proposed Utah Lake Distribution Plan. Since the trial period will involve experimenting with numbers, such as system storage, in which conservative estimates will go to the benefit of Utah Lake and to the detriment of upstream storage, we recommend that the commencement of the trial period be postponed from November 1992 until the extreme drought conditions have moderated.

7. We are very supportive of proposed improvements in stream flow gauges and training of Commissioners. We recommend that this portion of the plan proceed this year, regardless of a postponement in commencing the remainder of the distribution plan. We will expect better data and more prompt and complete reports from the River Commissioners as a result of these improvements.

We appreciate your initiative in this matter, and desire to support trial periods of the Water Distribution Plan for the Utah Lake Drainage Basin.

Sincerely,


David G. Ovard
General Manager

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